Supreme Court, U. S.
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MICHAEL RODAK, JR., CLERK

No. 79-1569

IN THE

Supreme Court of the United States

OCTOBER TERM, 1979

THE YANKTON SIOUX TRIBE,
Petitioner,

v.

THE UNITED STATES OF AMERICA,
Respondent.

BRIEF OF SIOUX NATION IN OPPOSITION TO PETITION

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This case involves an allocation of ownership interests between the Teton Sioux and the Yankton Sioux in certain lands located west and south of the Missouri River, which were recognized by the United States as belonging to the "Sioux or Dahcotah Nation" under the Treaty of September 17, 1851 (11 Stat. 749), at Fort Laramie. Based upon findings of fact concerning the population of the various Sioux bands in 1851 and their relative use of the Fort Laramie tract, the Indian Claims Commission determined that the Tetons possessed an undivided 93% ownership interest therein and that the Yanktons, whose homeland concededly lay east of the Missouri River, possessed a 7% ownership interest. (Pet. App. 6b-7b.) The Court of Claims affirmed. (Pet. App. 12a-15a).

Petitioner does not here challenge the general principles of law established by the court below and applied by the Commission in deciding how to apportion the Sioux Fort Laramie lands. Petitioner challenges only the Court of Claims' holding that the Commission's findings of fact in this case are supported by substantial evidence. The question presented, therefore, has no precedential value or other significance, and clearly is unworthy of this Court's review.

The petition for a writ of certiorari should be denied.

Respectfully submitted,

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